

**BOARD OF COUNTY COMMISSION
AGENDA ITEM SUMMARY**

Meeting Date: 7/20/05 - KW

Division County Attorney's Office

Bulk Item: Yes ☐ No ☒

**** PUBLIC HEARING 3:00 P.M. ****

Staff Contact Person: Suzanne Hutton

AGENDA ITEM WORDING:

A Public Hearing to consider the adoption of an Ordinance of the Board of County Commissioners of Monroe County, Florida correcting legal descriptions of Duck Key MSTU set forth in emergency Ordinance No. 10-2005.

ITEM BACKGROUND:

PREVIOUS RELEVANT BOCC ACTION:

Emergency Ordinance 10-2005 was approved on an emergency basis on May 18, 2005.
BOCC approval on 6/15/05 to advertise for one public hearing to be held July 20, 2005 in Key West.

CONTRACT/AGREEMENT CHANGES:

STAFF RECOMMENDATIONS:

Approval

TOTAL COST: N/A

BUDGETED: Yes ☐ No ☐

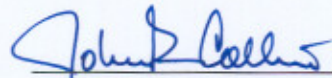
COST TO COUNTY: N/A

SOURCE OF FUNDS: _____

REVENUE PRODUCING: Yes ☐ No ☒ **AMOUNT PER MONTH** _____ **Year** _____

APPROVED BY: County Atty ☐ OMB/Purchasing ☐ Risk Management ☐

DIVISION DIRECTOR APPROVAL:

 06/22/05

JOHN R. COLLINS, COUNTY ATTORNEY

DOCUMENTATION: Included ☒ Not Required ☐

DISPOSITION: _____

AGENDA ITEM # _____

ORDINANCE NO. - 2005

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, AMENDING SECTION 15.5-191A(a), MONROE COUNTY CODE, IN ORDER TO PROVIDE REVISED LEGAL DESCRIPTIONS OF DUCK KEY MUNICIPAL SERVICE TAXING UNIT SET FORTH IN ORDINANCE NO. 10-2005; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES INCONSISTENT HERewith; PROVIDING FOR INCORPORATION INTO THE MONROE COUNTY CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Ordinance No. 10-2005 was approved May 18, 2005, as an emergency ordinance to redefine the boundaries of municipal service taxing units (MSTU's) for the purposes of assessing and collecting taxes to pay for administration, planning and development costs associated with and incurred in advancing wastewater and reclaimed water projects for the following units: Stock Island, Cudjoe-Sugarloaf, Big Pine, Conch Key, and Duck Key; and

WHEREAS, the Duck Key MSTU as described in said ordinance erroneously included parcel 1 of RE 378380, which parcel is the site of the Duck Key Wastewater Cooperative wastewater treatment plant; and

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA:

Section 1. Sec. 5.5-191A(a), Monroe County Code, shall be amended to read:

(a) Pursuant to the provision of section 126.01(1)(q), Florida Statutes, there is hereby created a Municipal Service Taxing Unit to be known as the Duck Key Municipal Service Taxing Unit. The Duck Key Municipal Service Taxing Unit shall encompass that portion of the unincorporated County bounded on the north by U.S. Highway 1, on the west by Tom's Harbor Channel, on the South by Hawk's Channel, and on the East by Tom's Harbor Cut; and area commonly known as "Duck Key, including islands known as Center Island, harbor Island, Plantation Island, and Yacht Club Island, but excluding Indies Island and Parcel 1 of RE#37830.

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of said conflict.

Section 4. The provisions of this ordinance shall be included and incorporated in the Code of Ordinances of the County of Monroe, Florida, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

Section 5. This ordinance shall take effect immediately upon receipt of official notice from the Office of the Secretary of State of the State of Florida that this ordinance has been filed with said Office.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of said Board held on the 20th day of July, 2005.

Mayor Spehar
Mayor Pro Tem McCoy
Commissioner Neugent
Commissioner Rice
Commissioner Nelson

(SEAL)

Attest: **DANNY L.KOLHAGE, Clerk**

**BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA**

By _____
Deputy Clerk

By _____
Mayor/Chairperson

Amends Ordinance 10-2005 Duck Key MSTU (SHkmp)

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM:

John R. Collins
JOHN R. COLLINS
COUNTY ATTORNEY

Date 06/22/05

**NOTICE OF INTENTION TO CONSIDER
ADOPTION OF COUNTY ORDINANCE**

NOTICE IS HEREBY GIVEN TO WHOM IT MAY CONCERN that on **Wednesday, July 20, 2005, at 3:00 P.M. at the Harvey Government Center, 1200 Truman Avenue, Key West, Monroe County, Florida**, the Board of County Commissioners of Monroe County, Florida, intends to consider the adoption of the following County ordinance:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, AMENDING SECTION 15.5-191A, MONROE COUNTY CODE, IN ORDER TO PROVIDE REVISED LEGAL DESCRIPTIONS OF DUCK KEY MUNICIPAL SERVICE TAXING UNIT SET FORTH IN ORDINANCE NO. 10-2005; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES INCONSISTENT HERewith; PROVIDING FOR INCORPORATION INTO THE MONROE COUNTY CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

Pursuant to Section 286.0105, Florida Statutes, notice is given that if a person decided to appeal any decision made by the Board with respect to any matter considered at such hearings or meetings, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Copies of the above-referenced ordinance are available for review at the various public libraries in Monroe County, Florida.

Dated at Key West, Florida, this 20th day of June, 2005.

DANNY L. KOLHAGE, Clerk of the Circuit Court
and ex officio Clerk of the Board of County
Commissioners of Monroe County, Florida

(SEAL)

Publication dates:

Reporter	(Fr) 6/24 – 7/1
Keynoter	(Sa) 6/25 – 7/2
KW Citizen	(Su) 6/26 – 7/3